



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

October 8, 2010

Mr. Thomas J. Reuter
Acting FOIA Officer
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, IL 62794

Re: Pre-Authorization Request – 2010 PAC 9880
FOIA Requester: William Kruse – Bill Kruse Real Estate

Dear Mr. Reuter:

We have received and reviewed the written notice from the Illinois Environmental Protection Agency (IEPA) of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On September 2, 2010, Mr. William Kruse submitted a FOIA request to IEPA for SRP Technical documents and the L-2003-01425 hazardous waste annual report from October 19, 2003, for the Paxton Electronic Components Corporation.

In its written notice, the IEPA asserts that a document contained within the requested records has been withheld from disclosure under Section 7(1)(f) of FOIA.

Determination

Section 7(1)(f) of FOIA exempts from inspection and copying “[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body.”

The IEPA’s use of the Section 7(1)(f) exemption with regard to the withheld document is **approved**. After review, our office has determined that the document is one in which opinions are expressed, or policies or actions are formulated, within the scope of Section 7(1)(f). Further, the IEPA has indicated that this document has not been publicly cited by the Director of the IEPA. Accordingly, the IEPA has met its burden of demonstrating that the withheld document is exempt from disclosure under Section 7(1)(f) of FOIA.

If you have any questions or concerns, please feel free to contact Rebecca Riddick at (312) 814-2138.
This correspondence shall serve to close this matter.

Sincerely,

cc: Mr. William Kruse
Bill Kruse Real Estate
110 N. Sangamon Ave.
P.O. Box 453
Gibson City, IL 60936

Cara Smith
Public Access Counselor

A handwritten signature in cursive script that reads "Amalia Rioja". To the right of the signature, there are some initials that appear to be "RSK".

By: Amalia Rioja
Chief Deputy Public Access Counselor